THE COMMITTEE ON THE EXERCISE OF THE

Inalienable Rights of the Palestinian People

AND THE DIVISION FOR

PALESTINIAN RIGHTS

INFORMATION NOTE

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A. *Committee on the Exercise of the Inalienable Rights of the Palestinian People*

The Committee on the Exercise of the Inalienable Rights of the Palestinian People was established by the General Assembly at its thirtieth session in 1975.

In its resolution 3376 (XXX) of 10 November 1975, the General Assembly expressed grave concern that no progress had been achieved towards the exercise by the Palestinian people of its inalienable rights in Palestine, as reaffirmed by the Assembly in 1974, including the right to self-determination without external interference and the right to national independence and sovereignty, and towards the exercise by the Palestinians of their inalienable right to return to their homes and property "from which they have been displaced and uprooted".

By the same resolution, the General Assembly decided to establish the Committee and requested it to consider and recommend to the Assembly a programme designed to enable the Palestinian people to exercise its inalienable rights. In drawing up its recommendations, the Committee was asked to take into account "all the powers conferred by the Charter upon the principal organs of the United Nations". The Assembly also requested the Committee to submit its recommendations within six months for consideration by the Security Council.

The Committee was authorized to establish contact with, and to receive and consider suggestions and proposals from, any State and intergovernmental regional organization and the Palestine Liberation Organization (PLO). In 1974, the General Assembly had invited the PLO to participate in the sessions and the work of the Assembly, and of all international conferences convened under the auspices of the Assembly and of other organs of the United Nations in the capacity of observer, and had asked the Secretary-General to establish contacts with the PLO on all matters concerning the question of Palestine.

The Committee held its first meetings between February and May 1976 and formulated a number of recommendations addressed to the Security Council, which were included in its first report.

The Committee affirmed that the question of Palestine was "at the heart of the Middle East problem" and no solution could be envisaged which did not take fully into account the legitimate aspirations of the Palestinian people. The Committee urged the Security Council to promote action for a just solution, taking into account all the powers conferred on it by the Charter. The participation of the PLO, as the representative of the Palestinian people, on an equal basis with other parties, was "indispensable", the Committee stated, in all deliberations and conferences held under United Nations auspices.

Recommendations in the Committee's report included a two-phase plan for the return of the Palestinians to their homes and property, a timetable for the withdrawal of Israeli forces from the occupied territories by 1 June 1977, and endorsement of the inherent right of the Palestinians to self-determination, national independence and sovereignty in Palestine. The Committee's recommendations were endorsed by the General Assembly at its thirty-first (1976) and subsequent sessions by overwhelming majorities, but have remained unimplemented because of lack of consensus in the Security Council.

The Committee served as the preparatory body for the International Conference on the Question of Palestine which was held in Geneva from 29 August to 7 September 1983. The Conference adopted a Declaration and Programme of Action for the Achievement of Palestinian Rights, which included guidelines for a solution of the Palestine question through the convening of an international peace conference on the Middle East under the auspices of the United Nations. The proposal and guidelines for such a conference were endorsed by the General Assembly by an overwhelming majority in its resolution 38/58 C of 13 December 1983.

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The General Assembly, at its forty-third session, adopted resolution 43/176 of 15 December 1988 by which, inter alia, it called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the PLO, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. The resolution spelled out five principles for the achievement of comprehensive peace in the region that included the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. By the same resolution the Security Council was requested to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee for such a conference. The resolution was adopted by an unprecedented majority of 138 votes in favour, 2 against and 2 abstentions.

In its resolution 46/75 of 11 December 1991 the General Assembly reaffirmed the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine. Further, the Assembly considered the convening of an International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination, would contribute to the promotion of peace in the region. By the same resolution, the Assembly reaffirmed the five principles for the achievement of comprehensive peace, as spelled out in its resolution 43/176. It also welcomed the convening of the Peace Conference on the Middle East in Madrid on 30 October 1991, which constituted a significant step towards the establishment of a comprehensive, just and lasting peace in the region. The General Assembly noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a transitional period, as part of the peace process.

The members of the Committee - originally a 20-State body but expanded in 1976 to 23 States* - are: Afghanistan, Belarus**, Cuba, Cyprus, Guinea, Guyana, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukraine and Yugoslavia. In 1992, 21 countries are observers at the Committee meetings. The League of Arab States and the Organization of the Islamic Conference also participate in the Committee meetings as observers.

On the basis of General Assembly resolutions 3210 (XXIX) and 3237 (XXIX) of 1974, and the subsequent decision taken by the Committee in 1976, the PLO, as the representative of the Palestinian people and the principal party to the question of Palestine, was invited to participate in the Committee's

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* *Guyana, Mali and Nigeria joined the Committee in 1976 in accordance with General Assembly decision 31/318 of 22 December 1976.*

** *Belarus (then the Byelorussian SSR) joined the Committee in accordance with General Assembly decision 45/313 of 6 December 1990, and filled the vacancy brought about by the accession of the former member of the Committee, the German Democratic Republic to the Federal Republic of Germany.*

deliberations as an observer. On 15 December 1988, the General Assembly adopted resolution 43/177 in which it decided that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the PLO within the United Nation system, in conformity with relevant United Nations resolutions and practice.

A Working Group established by the Committee assists in preparing and carrying out its ongoing activities.

The following officers (or Bureau) of the Committee were elected at the meeting of the Committee on 15 January 1992: H.E. Mr. Kéba Birane Cissé, Permanent Representative of Senegal to the United Nations, as Chairman; H.E. Mr. Ricardo Alarcón de Quesada, Permanent Representative of Cuba to the United Nations and H.E. Mr. Khoidad Basharmal, Permanent Representative of Afghanistan to the United Nations, as Vice-Chairmen; and H.E. Mr. Victor Camilleri, Permanent Representative of Malta to the United Nations, as Rapporteur.

In accordance with its mandate, which was outlined in a series of resolutions, the Committee is authorized and requested by the General Assembly:

- To keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights* and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

- To exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, and to report thereon to the General Assembly on an annual basis;

- To extend its cooperation to non-governmental organizations (NGOs) in their contribution towards heightening international awareness of the facts relating to the question of Palestine and creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations.

In addition to monitoring the situation and reporting to the General Assembly and the Security Council on matters requiring urgent action, the Committee, with the assistance of the Division for Palestinian Rights, has undertaken a programme of regional seminars, symposia and meetings for NGOs, and studies and publications on the question of Palestine.

The following events were organized by the Committee in 1991:

<u>Regional seminars</u>

- European Seminar (Madrid, May).

<u>Regional NGO symposia and international NGO meeting</u>

- North American NGO Symposium (Montreal, Canada, June);
- European NGO Symposium (Vienna, August);
- International NGO Meeting (Vienna, August).

The Asian Seminar (combined with NGO Symposium) was held in January 1992 at Nicosia.

** Adopted by the International Conference on the Question of Palestine, held at Geneva from 29 August to 7 September 1983; for the full text, see the report of the Conference (A/CONF.114/42).*

The Committee will organize the following meetings before the end of 1992:

Regional seminars

- European Seminar (Malta, July);
- North American Seminar (New York, 22-23 June);
- Latin American and Caribbean Seminar (venue and date to be determined).

Regional NGO symposia and international NGO meeting

- North American NGO Symposium (New York, 24-26 June);
- European NGO Symposium (Geneva, 24-25 August);
- International NGO Meeting (Geneva, 26-28 August);
- Latin American and Caribbean NGO Symposium (venue and date to be determined).

The Committee attaches importance to contacts with the media and has welcomed the organization of national and regional journalists' encounters and news fact-finding missions to the Middle East by the Department of Public Information of the United Nations Secretariat.

B. *Division for Palestinian Rights*

At the request of the General Assembly, contained in its resolution 32/40 B of 2 December 1977, the Secretary-General established within the Secretariat of the United Nations a Special Unit on Palestinian Rights in 1978, which was upgraded to Division status in 1982. The Division for Palestinian Rights is part of the Department of Political Affairs of the United Nations Secretariat and its mandate has been expanded several times over the years.

The Division provides substantive servicing to the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and carries out its functions in consultation with and under the guidance of the Committee.

Monitoring of political and other relevant developments. The Division is authorized and requested by a series of General Assembly resolutions to monitor political and other relevant developments, regional and international, affecting the inalienable rights of the Palestinian people. It also collects information and regularly reports to the Committee on the situation in the occupied Palestinian territory, as well as on the policies and practices of Israel, the occupying Power, towards the Palestinian people.

Regional seminars on the question of Palestine. The Division organizes regional seminars on the question of Palestine with the participation of experts, parliamentarians, government representatives, and Committee members and observers. Twenty-nine seminars have been held since 1980.

In accordance with the priority objectives of the Committee, the seminars will continue to focus in 1992 on the following issues:

- The need to end human rights violations and to ensure the international protection of Palestinians in the occupied Palestinian territory, including Jerusalem, in accordance with the Fourth Geneva Convention and relevant Security Council resolutions, and the promotion of measures to be taken by the High Contracting Parties to the Convention to ensure respect for its provisions;

- The impact of Israel's settlement policy and practice on the exercise by the Palestinian people of its inalienable rights and on the achievement of a just settlement of the question of Palestine;

- The deteriorating economic situation of the Palestinian people and the need for international assistance to promote the independent social and economic development of the occupied Palestinian territory, including Jerusalem;

- The promotion of a comprehensive, just and lasting peace in the Middle East based on internationally recognized principles and United Nations resolutions, and the convening of an international peace conference on the Middle East under the auspices of the United Nations.

Regional symposia and international meetings for NGOs. The Division organizes regional symposia and international meetings for NGOs, and co-operates with such organizations. The Programme of Action adopted by the International Conference on the Question of Palestine declared that the role of NGOs remains of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State. Furthermore, the Conference urged and encouraged NGOs to increase awareness by the international community of the economic and social burdens borne by the Palestinian people as a result of the continued Israeli occupation.

In order to promote the implementation of the Programme of Action, and pursuant to General Assembly resolution 38/58 B of 13 December 1983 and subsequent resolutions, the scope of the Division's activities was broadened and the Division was requested to convene symposia and international meetings in different regions to heighten awareness of the facts relating to the question of Palestine.

The regional symposia and international meetings, in accordance with the priorities established by the Committee, lay special emphasis on the objective of mobilizing NGO constituencies worldwide and in particular in Europe and North America towards the need of continuing efforts aimed at convening an international peace conference on the Middle East and achieving a just solution of the question of Palestine. The participants in these events discuss topics dealing with the Middle East peace process, Palestinian statehood, human rights, international economic assistance to the Palestinian people, the plight of the Palestinian women and children under occupation, protection of Palestinians in the occupied Palestinian territory in accordance with the Fourth Geneva Convention, as well as issues of land, Israeli settlements and water resources. Action-oriented proposals on topics of particular interest to the various NGO constituencies are dealt with in workshops and task forces.

At present, the Division, through the International, African, Asian, European, Latin American and Caribbean, and North American coordinating committees, elected by the NGOs participating in meetings sponsored by the Committee, maintains a working relationship with over 900 NGOs throughout the world. Interested NGOs, which support the goals of the Committee and have concrete programmes of activities in this area of work, can participate in the symposia and meetings, after filling in an application questionnaire which is submitted to the Committee for approval. Other NGOs can attend as observers.

International Day of Solidarity with the Palestinian People. The Division organizes the annual observance of 29 November as the International Day of Solidarity with the Palestinian People at United Nations Headquarters in New York and at the United Nations offices at Geneva and Vienna, and promotes the commemoration of the Day in many other cities around the world.

Studies and publications. As requested by the General Assembly, since 1978, the Division, under the guidance of the Committee, has prepared a series of studies and publications relating to the inalienable rights of the Palestinian people, as well as to the various aspects of the question of Palestine. The following studies have been prepared by the Division for Palestinian Rights:

The right of return of the Palestinian people (1978)

The right of self-determination of the Palestinian people (1979)

An international law analysis of the major United Nations resolutions concerning the Palestine question (1979)

The question of Palestine (1979)

The question of the observance of the Fourth Geneva Convention of 1949 in Gaza and the West Bank, including Jerusalem, occupied by Israel in June 1967 (1979)

The international status of the Palestinian people (1979)

Israel's policy on the West Bank water resources (1980)

Acquisition of land in Palestine (1980)

The Palestine question - A brief history (1980)

Social, economic and political institutions in the West Bank and Gaza (1982)

Legal status of the West Bank and Gaza (1982)

Israeli settlements in Gaza and in the West Bank (including Jerusalem) - their nature and purpose
Part I (1982)
Part II (1984)

The status of Jerusalem (1983)

Living conditions of the Palestinian people in the occupied territories (1985)

Approaches for the practical attainment of the inalienable rights of the Palestinian people (1985)

The need for convening the International Peace Conference on the Middle East (in accordance with General Assembly resolution 38/58 C) (1989)

Palestinian children in the occupied Palestinian territory (1990)

The origins and evolution of the Palestine problem: 1917-1988 (1990)

The question of Palestine: 1979-1990 (1991).

Most of the studies are available in the six official United Nations languages, i.e. Arabic, Chinese, English, French, Russian and Spanish. The study entitled "The Palestine Question - A Brief History" (1980) was also translated into German, Italian and Swahili.

This Information Note* and the Information Note entitled "The United Nations and non-governmental organization activities on the question of Palestine" are available in the six official United Nations languages, as well as in German and Japanese.

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* *The present Information Note is the seventh in this series. Its first issue appeared in July 1988; second in March 1989; third in August 1989; fourth in February 1990; fifth in June 1990; and sixth in April 1991.*

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